

BOARD OF NURSING
TOTAL BOARD
MINUTES
MAY 25, 2001

CONDUCTING: Marilyn Johnson

CONVENED: 8:10 A.M.

ADJOURNED: 11:50 A.M.

MEMBERS PRESENT: Pam Molen
Lynn Price
Helen Zsohar
Diana Baker
Marilyn Johnson
Steve McColley
Linda Cornaby

MEMBERS EXCUSED: Theresa Rock
Nancy Allen

DIVISION STAFF: Laura Poe, Executive Administrator
Craig Jackson, Division Director
Shirlene Kimball, Secretary
Lori Lima, Assistant A.G.
Gail Oliver, Investigator

TOPIC OF DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

TOTAL BOARD MINUTES
APRIL 27, 2001:

Approved as written.

PROBATION PEER COMMITTEE
MINUTES – APRIL 27, 2001:

Approved as written.

DISCUSSION REGARDING THE
CONTENT OF MINUTES:

Board members expressed concern with detailed minutes that include the name of an individual making a Motion. The concern is the minutes are now posted on the internet and Board members have concerns with safety issues. Ms. Poe stated she questioned bureau manager, legal counsel and other attorneys, but there was not a consensus on how the minutes should be written. There are some Boards that only include a sentence indicating what the issues were, indicate that a discussion was held, and record the final vote. Board members indicated there is an advantage to removing names, but if

the minutes are so bare boned that board members have to back track to determine what happened, board business may be impeded. A Motion was made to modify the minutes, leave out Board member names, include some detail, but not as much detail as previous. The only names recorded would be those Board members with abstaining and dissenting votes. The Motion was seconded. All Board members in favor of the Motion.

ENVIRONMENTAL SCAN:

Ms. Poe reported on the proposed federal legislation regarding the nursing shortage. She also provided the Board with the CNN poll regarding whether or not CRNAs should be allowed to administer anesthesia without supervision from an anesthesiologist.

Report on the National Council. Ms. Poe reported that Kathy Apple, Executive Director of the Nevada Board of Nursing has been hired as the Executive Director of the National Council.

DIVIDE INTO GROUPS AT 8:35 A.M.

RECONVENED AT 10:50 A.M.

REPORT FROM COMMITTEES:

Lawrence VanAtta: Mr. VanAtta would like to work as an RN. A Motion was made to amend his Order to allow Mr. VanAtta to work as an RN, under the supervision of an RN, CRNA, or physician with all the same terms and conditions of the current Order. All Board members in favor.

Barbara Heath: A Motion was made to amend her Order to terminate therapy. All Board members in favor.

Sandy Piatt: A Motion was made to amend her Order to terminate the aftercare requirement. All board members in favor.

Kelly Santistvan: A Motion was made to refer her for an Order to Show Cause

Hearing. All Board members in favor.

Joy Clark: A Motion was made to refer Ms. Clark for an Order to Show Cause Hearing. All Board members in favor.

RULES HEARING 11:00 A.M.

Rules Hearing was held.

DISCUSSION REGARDING WHO WILL ATTEND THE NCSBN ANNUAL MEETING:

The NCSBN annual meeting will be held August 6-11, 2001 in Pittsburgh PA. A Motion was made to have Theresa Rock attend and be a voting delegate. The Motion was seconded. All Board members in favor. Ms. Rock and Ms. Poe will be the delegates to the Delegate Assembly.

NCSBN CALL FOR COMMITTEE NOMINATIONS:

Reviewed.

REVIEW NCLEX QUARTERLY REPORTS:

Reviewed. CEU-PN program has fallen below the national average. RN program average for Utah is above the national average. However, concern was expressed with Westminister's program passing rate.

MEETING CLOSED AT 11:35 A.M.:

A Motion was made to close the meeting in accordance with 52-5(1)(a)(i) to discuss the character, professional competence, or physical or mental health of an individual. The Motion was seconded. All Board members in favor.

MEETING OPENED AT 11:50 A.M.

The meeting was opened at 11:50 a.m. A Motion was made to require Mr. Friel to obtain a psychological and physical examination from a practitioner approved by the Board and Division. The Motion was seconded. All Board members in favor.

MARILYN JOHNSON, CHAIR ELECT

DATE

LAURA POE, EXECUTIVE ADMINISTRATOR

DATE

BOARD OF NURSING
PROBATION PEER COMMITTEE
MINUTES
MAY 25, 2001

CONDUCTING: Linda Cornaby

CONVENED: 8:30 A.M.

ADJOURNED: 11:05 A.M.

MEMBERS PRESENT: Pam Molen
Lynn Price
Helen Zsohar
Diana Baker
Marilyn Johnson
Steve McColley
Linda Cornaby

MEMBERS EXCUSED: Theresa Rock
Nancy Allen

DIVISION STAFF: Laura Poe, Executive Administrator
Shirlene Kimball, Secretary

TOPIC OF DISCUSSION:

GROUP 1
CONDUCTING: LINDA CORNABY
SECRETARY: SHIRLENE KIMBALL

LAWRENCE VANATTA,
PROBATION INTERVIEW:

BARBARA HEATH,
PROBATION INTERVIEW:

DECISIONS AND RECOMMENDATIONS:

Members present: Dr. Zsohar, Ms. Cornaby, Ms. Price, and Ms. Baker.

Mr. Van Atta stated things are going well for him. He indicated he has an interview at Salt Lake Regional Medical Center for employment as an RN. His Order will need to be amended to allow him to work under the supervision of an RN, CRNA or physician. He is current on all reports, and appears to be in compliance with the terms and conditions of his Order. He stated he doesn't have any cravings and has been clean since November 22, 1998.

Ms. Heath is currently employed full time at the 4th Street Clinic. She stated she is doing well. She indicated she has thoughts of relapse on occasion, but nothing serious. Ms. Heath is current on all reports and appears to be in compliance with the terms and conditions of her Order.

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PAMELA SCHAAF,
NEW ORDER:

Ms. Cornaby reviewed the Order with Ms. Schaaf. Ms. Schaaf stated she understands the terms and conditions of the Order. She will need to submit an evaluation before her license will be taken off suspension and placed on probation. She indicated she does not see a physician for prescription medications. She stated she attends PIR meetings, but has not been attending 12 step meetings. Ms. Schaaf stated she has been clean since Sunday, May 21, 2001. She indicated she is currently trying to enter a drug treatment program at Dayspring.

SANDY PIATT,
PROBATION INTERVIEW

Ms. Piatt indicated she is experiencing health problems. She stated she is extremely tired and it is hard to attend all the required support group meetings. She stated she likes attending the meetings but it is difficult after working all day. She requested that the aftercare requirement be terminated. She stated she is not taking any drugs that are not prescribed. She stated she does not have thoughts of relapse. Committee members will recommend termination of aftercare.

DANA HALL, REQUEST FOR
RE-LICENSURE:

Ms. Hall and her attorney, Blaine Atkin, met with the Committee. Ms. Hall stated that when she surrendered her license, she was in the process of moving to St. George and was very tired of nursing and did not want to continue with the probation requirements. She stated she would now like to return to the nursing profession. She stated the last time she illegally used drugs was over ten years ago. Dr. Zsohar stated that a review of the controlled substance data base indicated she has had 13 different prescribers for Lortab. She indicated she has a back injury and has been prescribed Lortab for the pain. Ms. Hall stated she sees her family practitioner and if he is not there, she sees his partners in the office. She stated she has also seen another physician who has treated her for

her back and has also been seen at Zion Pain Clinic. She stated her insurance only allows for so many visits for back treatment, then she has to go back to the family practitioner for treatment. She stated all of the physicians are aware of her substance abuse addiction. She stated she only takes the Lortab as needed. The substance abuse evaluation from Ross Talbot indicated a low probability of a substance abuse disorder. The controlled substance data base also indicates she has prescriptions filled at seven different pharmacies. Ms. Hall stated she is aware it would be best if she had the prescriptions filled at only one pharmacy.

Ms. Hall has been out of nursing for a period of time and will need to sit for the NCLEX examination. She stated she has been reading the NCLEX study guide to prepare for the examination.

Committee members requested she submit letters from the prescribing practitioners regarding the nature of the problem, indicate they are aware of the past drug problems, and they are aware she is obtaining medications from other providers. Dr. Zsohar also requested she submit to the Board the name of the person who is treating her for the back pain, and the names of partners included in the office and explain why she had had 13 different prescribing practitioners and 7 pharmacies. A decision will not be made regarding her request until the information has been received.

GROUP II
CONDUCTING: STEVE MCCOLLEY
MINUTE TAKER: LAURA POE

Members present: Ms. Molen, Ms. Johnson, Dr. McColley.

DANIEL ELLSWORTH,
PROBATION INTERVIEW:

Mr. Ellsworth did not appear for his interview. The letter scheduling him for the interview was returned with no forwarding address.

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T. DIANE ANDERSON,
PROBATION INTERVIEW:

Ms. Anderson met with the Committee and was interviewed by Ms. Johnson. She has been diagnosed with pneumonia and hasn't consistently attended PIR or AA. She does not have documentation of attendance and stated she will start regularly attending and documenting attendance. She claims to have been clean and sober since January 1998. She stated she takes MS Contin to control chronic pain. She indicated that Ty Markham from the University of Utah Pain Clinic was to have sent a letter addressing counseling and aftercare. She will ask Dr. Markham to send the letter as soon as possible. She denies taking any drugs not lawfully prescribed for her. She is out of compliance with the terms and conditions of her Order.

MARIAN KAY TATE,
PROBATION INTERVIEW:

Ms. Tate called on May 24, 2001 and indicated she would not be attending the interview and wanted to surrender her license.

KELLY SANTISTVAN,
PROBATION INTERVIEW:

Ms. Santistvan did not appear for her interview. Committee members will recommend sending her file to investigations for an Order to Show Cause Hearing.

TERESA SPROULE,
NEW ORDER:

Ms. Sproule met with the Committee and was interviewed by Dr. McColley. The Stipulation and Order was reviewed and questions were answered. Ms. Sproule is not currently working. She is not enrolled in a treatment program. Her prescribing practitioner will be Dr. Jennifer DenBleyker, and the pharmacy will be Walmart in Tooele. She claims to have been clean and sober for two months. She denies taking any drugs not lawfully prescribed for her.

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JOY CLARK,
PROBATION INTERVIEW:

Ms. Clark failed to appear for her interview. Committee members will recommend her file be referred to investigations for an Order to Show Cause Hearing.

WALTER MILLER,
NEW ORDER:

Mr. Miller sent a letter indicating that he is living in Oregon and pursuing licensure there. He does not plan to practice in Utah or to comply with the terms and conditions of his Stipulation. The Division will follow-up with the Oregon Board of Nursing.

LINDA CORNABY, CHAIR

DATE

STEVE MCCOLLEY, CO-CHAIR

DATE